

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X

In re:

ZENITH MANAGEMENT I, LLC

Debtor.

Chapter 11

Case No. 16-43485 (NHL)

-----X

**AFFIDAVIT OF MARC P. YAVERBAUM IN SUPPORT OF FIRST AND FINAL
APPLICATION FOR ALLOWANCE OF COMMISSIONS TO
MYC & ASSOCIATES, INC. AS REAL ESTATE BROKER**

State of New York)

) ss:

County of Richmond)

MARC P. YAVERBAUM, being duly sworn, deposes and says:

1. I am a principal shareholder of the firm MYC & Associates, Inc. (“MYC” or the “Applicant”), maintaining its offices at 1110 South Avenue, Suite 61, Staten Island, New York 10314. I am the Certifying Professional in accordance with the Guidelines.

2. I make this affidavit in connection with the application (the “Application”) of MYC pursuant to sections 327(a), 328(a) and 330(a) of title 11, U.S. Code (the “Bankruptcy Code”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Rules 2016-1 of the Local Bankruptcy Rules for the Eastern District of New York (the “Local Rules”), and the Guidelines For Fees and Disbursements for Professionals in Eastern District of New York Bankruptcy Cases adopted on June 4, 2013 (the “Guidelines”), for its first and final allowance, and approval

of payment, of commissions for professional services rendered by the Applicant from May 1, 2018 through December 26, 2018.

3. In accordance with Bankruptcy Rule 2016(a) and Local Rule 2016-1, I hereby state that to the best of my knowledge: (i) all services for which compensation is sought herein were rendered to the Debtor solely in connection with this chapter 11 case and not on behalf of any individual creditors and/or other persons; (ii) no agreement or understanding exists between MYC and any other person for a division of compensation to be received for services rendered in, or in connection with, this chapter 11 case, nor shall MYC share or agree to share the compensation paid or allowed from the Estate for such services with any other person; (iii) no agreement or understanding prohibited by § 155 of title 18, United States Code or § 504 of the Bankruptcy Code has been, or will be, made, and (iv) the Application complies with the Guidelines.

4. In accordance with the Guidelines, I hereby state that I have read the Application, and to the best of my knowledge, information and belief formed after reasonable inquiry: (a) the fees and disbursements sought fall within the Guidelines, except as specifically noted in this Affidavit and described in the Application; (b) except to the extent that fees or disbursements are prohibited by the Amended Guidelines, the fees and disbursements sought are billed at rates and in accordance with practices customarily employed by the Applicant and generally accepted by the Applicant's clients; and (c) in providing a reimbursable service, the Applicant does not make a profit on the service, whether the service is performed by the Applicant in-house or through a third party.

5. In accordance with the Guidelines, the United States Trustee and the chair of each official committee (if any) and the debtor have all been provided with a copy of the Application at least 21 days before the date set by the Court or any applicable rules for filing fee applications.

/s/ Marc P. Yaverbaum

Marc P. Yaverbaum

Sworn to me this 26th day of December, 2018

/s/ Victor M. Moneypenny

Notary Public

State of New York

Registration #01M06343439

Qualified in Richmond County

Commission Expires June 13, 2020